

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ALLYSON FERER,

Plaintiff,

V.

AARON FERER & SONS COMPANY,
MATTHEW D. FERER, and WHITNEY
H. FERER,

Defendants.

8:04CV431

MEMORANDUM AND ORDER

Before the court is the report and recommendation of United States Magistrate Judge Thomas D. Thalken, Filing No. 4. No objection has been filed to the report and recommendation. Pursuant to NECivR 72.3 and 28 U.S.C. § 636(b)(1)(C), the court has conducted a de novo review of the record and adopts the report and recommendation in its entirety.

THEREFORE, IT IS HEREBY ORDERED that:

1. The report and recommendation, Filing No. 4, is adopted in its entirety;
2. The plaintiff's complaint, Filing No. 1, is hereby dismissed without prejudice pursuant to Fed. R. Civ. P. 4(m)..

DATED this 22nd day of April, 2005.

BY THE COURT:

s/ Joseph F. Bataillon
JOSEPH F. BATAILLON
United States District Judge